

Arnaldo Claudio  
Technical Compliance Advisor  
TCAPR Corp.  
268 Muñoz Rivera, World Plaza, Suite 1001  
San Juan, P.R. 00918

VIA ELECTRONIC MAIL

August 31, 2015

Lt. Col. Clementina Vega Rosario  
Reform Unit Director  
Puerto Rico Police Department  
P.O. Box 70166  
San Juan, PR 00936

Re: USA v. Commonwealth of Puerto Rico, et al., No. 3:12-cv-2039 (GAG)  
**Methodology to Review Action Plans on Use of Force, Search and Seizure, Equal Protection, and Administrative Complaints.**

Dear Lt. Col. Vega Rosario:

Please find enclosed the TCA's proposed methodology to review the Action Plans on Use of Force, Search and Seizure, Equal Protection, and Administrative Complaints.

#### **METHODOLOGY TO REVIEW ACTION PLAN ON USE OF FORCE**

During the capacity building period, the TCA will take the following methodological actions to provide feedback and technical assistance while assessing PRPD's progress in the implementation of the Action Plan on use of force:

- (a) In the first year of implementation of the Action Plan, the TCA will conduct random visits to the four Zones of Excellence in order to assess whether officers are being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA. The TCA will also conduct random visits to the specialized units. After the first year, the TCA will also visit all thirteen police areas and/or commands assigned to superintendents ("superintendencias") using SAEA training calendar.

- (b) On a quarterly basis, the TCA will review use of force incidents segregated by police areas, including districts, precincts and units.
- (c) The TCA will conduct random visits to districts, precincts and units to determine that records relating to incidents of use of force have been prepared and completed in accordance with General Order 605. The TCA will interview officers. Start dates are documented in the detailed actions
- (d) The TCA will conduct onsite tour schedules and random visits to districts, precincts and units to determine whether the Supervisors of the PPR have conducted reviews and investigations on use of force. The TCA will interview supervisors.
- (e) The TCA will randomly compare PPR-892 forms and data stored in the electric control device (DCE). The TCA will determine the number of records requested using a sample size table. The sample confidence level will be 99% and the selected margin of error will be 3%.
- (f) Using the training plan issued by the SAEA for each of the courses, the TCA will review attendance records and officer evaluations.

More specifically, the TCA will also take the following specific methodological actions to assess PRPD's compliance with the Action Plan on use of force:

#### *Policies and Procedures*

##### *Activities:*

##### 1.1 Review of General Order 600 Section 603

*Methodology:* The TCA will review all documents (minutes of meetings, data collected, policy drafts, legal opinions, and any other relevant documents as needed) used by the PRPD to review General Order 600, Section 603 no later than January 31, 2016. The TCA will also review all disciplinary matters resolved in 2015 pertaining to Order 600, Section 603 (impact weapons).

1.2 Review of General Order 600 Section 604.

Methodology: *The TCA will review all documents (minutes of meetings, data collected, policy drafts, legal opinions, , and any other relevant documents as needed) used by the PRPD to review General Order 600, Section 604 no later than March 31, 2016. The TCA will also review all disciplinary matters resolved in 2015 and from January to March 2016 pertaining to Order 600, Section 604 (chemical agents).*

1.3 Development of General Order on Force Review Board.

Methodology: *This order has been recently approved by the Superintendent. The TCA provided technical support. The TCA will monitor compliance with action plan deadlines.*

1.4 Replace General Order 2004-3 with new General Order on the use of firearms.

Methodology: *This order has been recently approved by the Superintendent. The TCA provided technical support. The TCA will monitor compliance with action plan deadlines.*

1.5 Review of General Order 600 Section 602 on Tasers

Methodology: *The TCA will review all documents (minutes of meetings, data collected, policy drafts, legal opinions, , and any other relevant documents as needed) used by the PRPD to review General Order 600, Section 602 no later than April 30, 2016. The TCA will also review all disciplinary matters resolved in 2015 and from January to April 2016 pertaining to Order 600, Section 602 (Tasers).*

1.6 Review of General Order 600 Section 601

Methodology: *This order is pending Superintendent's approval. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

1.7 Review of General Order 600 Section 605

Methodology: *This order is pending Superintendent's approval. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

1.8 Development of General Order on Force Investigations Units

Methodology: *This order was submitted to the TCA and USDOJ for review on June 30, 2015. The TCA will monitor compliance with action plan deadlines.*

1.9 Review of General Order for Tactical Operations Units

Methodology: *This order is to be submitted to TCA and USDOJ for review on or before August 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. Based on the recommendation of the US DOJ, the TCA will evaluate the current operations of these units in the context of the General Order. The TCA will provide technical assistance and recommendations for improvement, as needed.*

1.10 Development of General Order for SWAT

Methodology: *This order is to be submitted to TCA and USDOJ for review on or before August 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

1.11 Development of General Order for less than lethal weapons.

Methodology: *This order is to be submitted to TCA and USDOJ for review on or before September 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

1.12 Development of General Order for crowd control.

Methodology: *This order is to be submitted to TCA and USDOJ for review on or before September 2015. Paragraphs 229 and 230 of the Agreement are applicable. The*

*TCA will monitor compliance with action plan deadlines. Based on the recommendation of the US DOJ, the TCA will evaluate the current practices of the units involved in crowd control and provide technical assistance and recommendations for improvement, as needed.*

1.13 Review of General Order 600 Section 607.

Methodology: *This order is to be submitted to TCA and USDOJ for review on or before November 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

1.14 Review of General Order 600 Section 609.

Methodology: *This order is to be submitted to TCA and USDOJ for review on or before November 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

1.15 Protocol for K-9.

Methodology: *This order is to be submitted to TCA and USDOJ for review on or before March 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

## II. Data Gathering and Data Reporting.

### Activities:

1.1 Development of informational system for data gathering of use of force incidents and forms PPR-854 y PPR-877.

Methodology: *The TCA will provide technical support to the PRPD in the development of informational systems, data collection methods, and practical implementation of forms. The TCA will monitor the implementation of the NIBRS policy. The TCA will track revision and implementation of forms PPR-854 and PPR-877. The TCA will review the production schedule and will interview IT staff to monitor it.*



1.2 Development of informational system for STUs.

Methodology: *The TCA will provide technical support to the PRPD in the development of informational systems and data collection methods. The TCA will monitor the implementation of the NIBRS policy. The TCA will review the production schedule and will interview IT staff to monitor it. Based on the recommendation from US DOJ, the TCA will assign experts to assess PRPD's current data collection and analysis systems making recommendation for improvement.*

III. Force Review and Investigation:

Activities:

1.1 Supervisors shall complete use of force reviews within five business days of receiving the officer's use of force report.

Methodology: *The TCA will conduct on site tour schedules to meet with supervisors who are completing use of force reviews. On a quarterly basis, the TCA will review a list with all use of force reviews in the Zones of Excellence. The list will contain an incident log number, incident date, and supervisory review date. On a yearly basis, the TCA team will audit the list, if any, and compare it to the paperwork. The data analysis will gradually extend from the Zones of Excellence to the entire PRPD after the first year of implementation of the Action Paper.*

*The TCA will determine the number of records requested using a sample size table. The sample confidence level will be 99% and the selected margin of error will be 3%.*

1.2 PRPD will implement a computerized tracking system for gathering use of force incidents.

Methodology: *The TCA will provide technical support to the PRPD in the development of informational systems and data collection methods. On a quarterly basis, the TCA will review a list with all use of force incidents in the Zones of Excellence. After one year, the list will include all thirteen police areas*

*At minimum, the list will include the following information:*

- (1) all officers' use of force;
- (2) all force investigations carried out by FIU
- (3) all force reviews conducted by FRB and SFRB

1.3 PRPD will conduct an annual analysis of use of force incidents.

Methodology: *The TCA will identify examples of annual reports and provide materials on best practices. On a quarterly basis, the TCA will review a list with all use of force incidents in the Zones of Excellence. The list will contain a description of the use of force, the reason for and circumstances of the encounter, a report of injuries, and a description of charges. After one year, the list will also include other Police areas beyond the Zones of excellence.*

1.4 PRPD will conduct a study on the number of supervisors needed.

Methodology: *On a quarterly basis, the TCA will review a list with the number of use of force incidents review by each supervisor. This issue will be further addressed in the Action Plan for Professionalization. Based on the recommendation from US DOJ, the TCA will assist PRPD in the design and implementation of the study.*

#### IV. Force Training

##### Activities:

1.1 Review of training on impact weapons.

Methodology: *PRPD drafted the training module for impact weapons on June 30, 2015. The TCA is to complete his review of the module on July 30, 2015. SAEA will introduce changes by August 29, 2015. SAEA will be ready to start training by September 28, 2015. Training will be completed by 50% of the force on September 27, 2016. Training will be completed by 100% of the force on September 27, 2017.*

*The TCA will continue to have members of the Core Team assigned to provide technical assistance to the PRPD in matters of training. The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on September 28, 2015. On that date, the TCA will review a list with all PRPD officers that*

*must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with no less than ten officers who have participated in the training. Officers will be selected at random.*

## **1.2 Review of training on chemical agents.**

*Methodology:* *PRPD will draft the training module for chemical agents on or before August 24, 2015. The TCA will complete his review of the module on September 23, 2015. SAEA will introduce changes by October 23, 2015. SAEA will be ready to start training by November 22, 2015. Training will be completed by 50% of the force on November 21, 2016. Training will be completed by 100% of the force on November 21, 2017.*

*The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on November 22, 2015. On that date, the TCA will review a list with all PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.*

## **1.3 Development of training for FRB and SFRB**

*Methodology:* *PRPD will draft the training module for FRB and SFRB members on or before September 7, 2015. The TCA will complete his review of the training module on October 7, 2015. SAEA will introduce changes by November 6, 2015. SAEA will be ready to start training by December 6, 2015.*

*The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on December 6, 2015. On that date, the TCA will review a list with all PRPD employees assigned to the FRB and SFRB. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of FRB and SFRB members who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the*



*TCA will conduct a focus group session with FRB and SFRB members who have participated in the training. FRB members will be selected at random. On a semi-annual basis, the TCA will attend FRB sessions.*

#### 1.4 Review of training on firearms.

*Methodology:* *PRPD will draft the training module for firearms on or before October 28, 2015. The TCA will complete his review of the module on November 27, 2015. SAEA will introduce changes by December 27, 2015. SAEA will be ready to start training by January 26, 2016. Training will be completed by 50% of the force on or before January 25, 2017. Training will be completed by 100% of the force on or before January 25, 2018.*

*The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on January 26, 2016. On that date, the TCA will review a list with all PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.*

#### 1.5 Review of training on ECWs.

*Methodology:* *PRPD will draft the training module for ECWS on or before November 26, 2015. The TCA will complete his review of the module on December 26, 2015. SAEA will introduce changes by January 25, 2016. SAEA will be ready to start training by February 24, 2016. Training will be completed by 50% of the force on or before February 23, 2017. Training will be completed by 100% of the force on or before February 23, 2018.*

*The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on February 24, 2016. On that date, the TCA will review a list with all PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus*

*group session with officers who have participated in the training. Officers will be selected at random.*

#### 1.6 Review of training on the use of force rules and investigations

Methodology: *PRPD will draft the training module for use of force rules and investigations on or before November 26, 2015. The TCA will complete his review of the module on December 26, 2015. SAEA will introduce changes by January 25, 2016. SAEA will be ready to start training by February 24, 2016. Training will be completed by 50% of the force on or before February 23, 2017. Training will be completed by 100% of the force on or before February 23, 2018.*

*The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on February 24, 2016. On that date, the TCA will review a list with all PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.*

#### 1.7 Training for FIU agents.

Methodology: *PRPD drafted the General Order for FIU in June 2015. PRPD will draft the training module for FIU officers on or before January 26, 2016. The TCA will complete his review of the module on February 25, 2016. SAEA will introduce changes by March 26, 2016. SAEA will be ready to start training by April 25, 2016. Training for*

*The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on April 25, 2016. On that date, the TCA will review a list with all FIU officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.*

## 1.8 Training for Tactical Operations Units

Methodology: PRPD will draft the training module for Tactical Operations Units on or before February 26, 2016. The TCA will complete his review of the module on March 27, 2016. SAEA will introduce changes by April 26, 2016. SAEA will be ready to start training by May 25, 2016.

The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on April 25, 2016. On that date, the TCA will review a list with all officers assigned to Tactical Units that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.

## 1.9 Training for SWAT.

Methodology: PRPD will draft the training module for SWAT on or before February 26, 2016. The TCA will complete his review of the module on March 27, 2016. SAEA will introduce changes by April 26, 2016. SAEA will be ready to start training by May 25, 2016.

The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on April 25, 2016. On that date, the TCA will review a list with all officers assigned to SWAT that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.

## 1.10 Training in less than lethal use of force.

Methodology: PRPD will draft the training module for use less than lethal use of force on or before March 27, 2016. The TCA will complete his review of the module on April

26, 2016. SAEA will introduce changes by May 26, 2016. SAEA will be ready to start training by June 26, 2016. Training will be completed by 50% of the force on or before June 25, 2017. Training will be completed by 100% of the force on or before June 25, 2018.

The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on June 26, 2016. On that date, the TCA will review a list with all PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.

#### 1.11 Crowd control training

Methodology: PRPD will draft the training module for crowd control on or before April 27, 2016. The TCA will complete his review of the module on May 26, 2016. SAEA will introduce changes by June 26, 2016. SAEA will be ready to start training by July 26, 2016. Training will be separate. Training for 50% of the force will be completed on or before July 25, 2017. Training will be completed by 100% of the force on or before July 25, 2018.

The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on July 26, 2016. On that date, the TCA will review a list with all STU's and PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.

#### 1.12 Foot pursuit training.

Methodology: PRPD will draft the training module for foot pursuits on or before June 27, 2016. The TCA will complete his review of the module on July 26, 2016. SAEA will introduce changes by August 26, 2016. SAEA will be ready to start training by

September 26, 2016. Training will be separate. Training for 50% of the force will be completed on or before September 25, 2017. Training will be completed by 100% of the force on or before September 25, 2018.

The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on September 26, 2016. On that date, the TCA will review a list with all PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.

#### 1.13 Training on handling of vehicles in emergency situations

Methodology: PRPD will draft the training module for use of vehicle in emergency situations on or before June 27, 2016. The TCA will complete his review of the module on July 26, 2016. SAEA will introduce changes by August 26, 2016. SAEA will be ready to start training by September 26, 2016. Training will be separate. Training for 50% of the force will be completed on or before September 25, 2017. Training will be completed by 100% of the force on or before September 25, 2018.

The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on September 26, 2016. On that date, the TCA will review a list with all PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.

The TCA will review the progress made by PRPD in identifying proper equipment and resources. Starting in October 2015, the TCA will review a quarterly report update on the identification of resources.



#### 1.14 K-9 Training

Methodology: PRPD will draft the training module for use of force rules and investigations on or before October 26, 2016. The TCA will complete his review of the module on November 25, 2016. SAEA will introduce changes by December 25, 2016. SAEA will be ready to start training by January 24, 2017.

The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on January 24, 2017. On that date, the TCA will review a list with all PRPD officers that must be trained and certified. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.

#### 1.15 Electronic reporting of incidents

See Non-Discrimination Plan

### V. Training Implementation:

Activities:

#### 5.1 Training schedule:

##### a. Impact weapons

Methodology: See IV.1.1

##### b. Chemical Agents

Methodology: See IV.1.2.

*In addition, the TCA will conduct site visits to audit resources (chemical agents, soaps, etc.) at training facilities.*

c. FRB and SFRB

Methodology: See IV.1.3

d. Firearms

Methodology: See IV.1.4

*In addition, the TCA will conduct site visits to audit resources (dummy ammunition, ear plugs, F.A.S.T., etc.) at training facilities. For F.A.S.T, the field visits will focus on Gurabo.*

e. ECWs.

Methodology: See IV.1.5

*In addition, the TCA will conduct site visits to audit resources (batteries, tasers, etc.) at training facilities.*

f. Use of force and incident reporting

Methodology: See IV.1.6

*In addition, the TCA will audit webinar sessions and access to computers for webinar purposes. The TCA will review a list of webinar ready computers. The TCA review the electronic records of the webinar sessions.*

g. FIU Training

Methodology: See IV.1.7

h. Training of STU's

Methodology: See IV.1.8

i. Training of SWAT

Methodology: See IV.1.9

j. Training on less than lethal

Methodology: See IV.1.10

*In addition, the TCA will conduct site visits to audit resources ("stop sticks", "pepper bag", "bean bag", "drones", "rubber balls", "flash bangs," etc.) at training facilities.*

k. Crowd control training

Methodology: See IV.1.11

*In addition, the TCA will conduct site visits to audit resources (flexi cuffs, gas grenades, gas guns, shields, etc.) at training facilities.*

l. Foot pursuit training

Methodology: See IV.1.12

m. Use of vehicle training

Methodology: See IV.1.13

*In addition, the TCA will conduct site visits to audit resources (spot lights, sirens, first aid kits, etc.) at training facilities.*

n. K-9 training

Methodology: See IV.1.14

*In addition, the TCA will conduct site visits to audit resources at K-9 training facilities.*

- o. Electronic reporting of incidents

## 1.2 Units to be first trained

Methodology: *The TCA will review training logs in order to assess whether members of the units mentioned here are trained first*

## 1.3. Districts to be first trained

Methodology: *The TCA will evaluate the process utilized by the APRPD to determine training priorities. In particular, the TCA will review the following data: number of incident per location, number of Domestic Violence incidents, number of DUI/DWI incidents, number of arrests, number of police calls, number of complaints, and number of demonstrations and parades.*

# VI. Behavioral and Health Crisis Response

Activities:

## 1.1 General Order for the creation of CIT

Methodology: *This order will be submitted to the TCA and USDOJ for review on or before December 2015. The TCA will monitor compliance with action plan deadlines. On a quarterly basis, the PRPD will submit to the TCA a list of all members assigned to CIT units and their police areas.*

# VII. Training for CIT and PRPD on Behavioral and Health Crisis Response

Activities:

## 1.1 Health Crisis Training for CIT

Methodology: *PRPD will draft the training module for use of force rules and investigations on or before July 27, 2016. The TCA will complete his review of the module on August 26, 2016. SAEA will introduce changes by September 26, 2016.*

*SAEA will be ready to start training by October 25, 2016. CIT officers will be trained first. Training for 50% of PRPD officers will be completed by October 25, 2017 and training for 100% of officers will be completed by October 25, 2018.*

*The TCA will conduct on site tours. The TCA will prepare written memoranda describing recommendations and areas of concern. The TCA will identify sources and provide materials on best practices. The TCA will begin monitoring the training on October 25, 2016. On that date, the TCA will review a list with all CIT and PRPD officers that must be trained. The list will be updated on a quarterly basis to account for new hires and separations. On a quarterly basis, the TCA will review a list of officers who have received training and whether their training was successful or unsuccessful. On a semi-annual basis, the TCA will conduct a focus group session with officers who have participated in the training. Officers will be selected at random.*

#### 1.5 Behavioral and/or mental health training for specialized units:

Methodology: *On October 25, 2016, the PRPD will train members of the CIT teams and members of specific units (task forces, SWAT Team, FIU, etc.) in health crisis intervention.*

#### 1.6 Behavioral and/or mental health training for district officers

Methodology: *The TCA will review the following data: number of incident per location, number of Domestic Violence incidents, number of DUI/DWI incidents, number of arrests, number of police calls, number of complaints, and number of demonstrations and parades.*

### VIII. PRPD's Self-Evaluation:

#### Activities:

##### 1.1 Examples of Monitoring:

- a. Training Calendars, rosters and attendance logs
- b. Random field visits to Zones of Excellence and Police Areas
- c. Random field visits to districts, precincts and units to track use of force incidents
- d. Random field visits to districts, precincts and units to track supervisory reviews.



- e. Compare ECW records
- f. Compare ECW records to information on PPR-892 forms

Methodology: *The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, legal opinions, and any other relevant documents as needed) used in PRPD's self-evaluation. The TCA will continue to assist the PRPD in building operational and management systems and structures that will facilitate PRPD's self-evaluation process.*

#### IX. Budget:

Methodology: *On a yearly basis, the PRPD will submit to the TCA a budgetary update detailing how the implementation of programs is affected by budgetary constraints.*

#### X. Annual Review:

Methodology: *The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, legal opinions, and any other relevant documents as needed) used to review the Action Plan on the use of force no later than one year from the date of approval of the Action Plans. The TCA will meet with the Superintendent and/or the PRPD leadership to discuss matters relevant to the annual review.*

### **METHODOLOGY TO REVIEW ACTION PLAN ON SEARCH AND SEIZURE**

During the capacity building period, the TCA will take the following methodological actions to provide feedback and technical assistance while assessing the PRPD's compliance with the Action Plan on Search and Seizure:

- (g) In the first year of implementation of the Action Plan, the TCA will conduct on site tours and random visits to the four Zones of Excellence in order to evaluate whether officers are being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA. The TCA will also conduct random visits to the specialized units. After the first year, the TCA will also visit each, using SAEA training calendar, all thirteen police areas.

- (h) On a quarterly basis, the TCA will review arrest and crime data segregated by police areas, including districts, precincts and units.
- (i) The TCA will conduct random visits to districts, precincts and units to determine that records relating to arrest incidents have been prepared and PPR 82 forms have been filled out and completed in accordance with General Order 615. The TCA will interview both officers who arrested individuals and officers who maintained the records.
- (j) The TCA will conduct random visits to districts, precincts and units to determine whether the Supervisors of the PPR have conducted reviews and investigations on arrest, search, and premises entered incidents. The TCA will interview supervisors involved in these incidents.
- (k) The TCA will randomly compare PPR-126 forms and other data. The TCA will determine the number of records requested using a sample size table. The sample confidence level will be 99% and the selected margin of error will be 3%. The PRPD has prohibited investigatory encounter, the TCA will evaluate the data to assess compliance with the policy.
- (l) Using the training plan issued by the SAEA for each of the courses, the TCA will review attendance records and officer evaluations.
- (m) On a quarterly basis, the TCA will review all electronic information gathered by PRPD on investigatory stops.

The TCA will also take the following specific methodological actions to assess PRPD's compliance with the Action Plan on Search and Seizure:

#### *I. Policies and Procedures:*

##### *Activities:*

##### *1.1 Review of General Order 600 section 615*

*Methodology:* *The TCA will review all documents (Memoranda of Understanding, minutes of meetings, data collected, policy drafts, training materials, legal opinions,*

*disciplinary recommendations, etc.) used to review and update General Order 600, Section 615 no later than February 27, 2016. The TCA will review all disciplinary matters resolved in 2015 pertaining to Order 600, Section 615. The TCA will interview members of the Legal Aid Society who participate in the review process.*

## 1.2 Investigatory Stops and Searches

*Methodology:* *The TCA will review the policy on investigatory stops and searches submitted for review on July 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

## 1.3 Protocol on investigatory stops and data collection

*Methodology:* *The TCA will review the protocol on investigatory stops and searches data collection submitted for review on July 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

*The TCA will review all cases where officers are disciplined for failure to prepare required paperwork.*

## 1.4 Review of General order 600, Section 612.

*Methodology:* *The TCA will review General Order 600 Section 612 once is submitted for review on August 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

## 1.5 Protocol to store digital communications.

*Methodology:* *The TCA will review the protocol once is submitted for review on May 2016. The TCA will interview members of SAOC, SASG NT Division of communications, and JRTPR to document progress in the development of the protocol.*

## II. Data Gathering and Data Reporting:

### Activities:

1.1 Development of an informational system for data gathering of arrests and search and seizure incidents as well as of forms PPR-853 and PPR-880.

Methodology: *The TCA will track the creation, dissemination, and implementation of forms PPR-853 and PPR-880. The TCA will randomly select police facilities within the Zones of Excellence during the first year to document the use of these forms. The TCA will visit police facilities in all four Zones of Excellence. The TCA will interview responsible parties of SASG (NT) and SAIC to document the progress in the informational system. The TCA will meet quarterly with PRPD's IT counterparts to assess program development.*

1.2 Review of policy on stops and consent forms

Methodology: *The policy is to be submitted to TCA and USDOJ for review on or before August 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The TCA will also monitor the impact that the implementation PPR-879 (review 8-2014) will have on the deadline.*

1.3 In reviewing General Order 600, Section 615, PRPD will require officers to notify command center and supervisors after an arrest is made.

Methodology: *The TCA will review all documents (minutes of meetings, data collected, policy drafts, training materials, legal opinions, disciplinary recommendations, etc.) used to review General Order 600, Section 615 no later than February 27, 2016. The TCA will review all disciplinary matters resolved in 2015 pertaining to Order 600, Section 615.*

#### 1.4 Automatization of Communications.

Methodology: *The TCA will conduct site visits to audit resources (radios, recording devices) in all four Zones of Excellence 18 months after the approval of the appropriate policy.*

### III. Review and Investigation:

#### Activities:

#### 1.1 Supervisory review of all stops, searches and seizures.

Methodology: *The TCA will schedule on site tours. The TCA will review PRPD's caseload and HR staffing analysis on the number of supervisors needed to implement this activity. On a quarterly basis, the TCA will review the caseloads of all supervisors in the four Zones of Excellence. The TCA will conduct ride-alongs and site visits to evaluate and assess the workload of supervisors in the Zones of Excellence in order to create a baseline. The workload study is the responsibility of the PRPD and the TCA will provide technical assistance.*

#### 1.2 PRPD will implement a computerized tracking system for gathering use of force incidents.

Methodology: *The TCA will provide technical support to the PRPD in the development of informational systems and data collection methods. On a quarterly basis, the TCA will review all electronic information gathered by PRPD on investigatory stops. On an annual basis, the TCA will cross-reference data on investigatory stops, demographic information, and crime for the purpose of analysis.*

#### 1.3 Supervisory HR staffing analysis

Methodology: *The TCA will identify sources and provide materials on best practices and review the study once is completed.*



#### IV. Training and Implementation

##### Activities:

##### 1.1 Training on General Order 600, Section 615.

Methodology: PRPD will draft the training module on September 26, 2016 and will be ready for implementation on December 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

##### 1.2 Training on filling out stop and frisk forms

Methodology: Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

##### 1.3 Training on General Order 600, Section 612.

Methodology: PRPD will draft the training module on April 26, 2016 and will be ready for implementation on June 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

*On a quarterly basis, the TCA will request a report from SAEA on the progress being made in identifying training experts in this field.*

1.4 Training of supervisors and high-ranking police officials.

Methodology: *Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will conduct focus group sessions with a random group of high-ranking police officials.*

1.5 Training of Command Center and Radio Control personnel.

Methodology: *Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.*

V. Implementation:

Activities:

1.1

a. Training on General Order 600, Section 615.

Methodology: *See IV.1.1*

*In addition, the TCA will review PRPD plans to coordinate training schedule with courts. The TCA will also review work plans from Auxiliary Superintendents and Area Commanders to coordinate work and training schedules.*

- b. Training on filling out stop and frisk forms

Methodology: See IV.1.2

*In addition, the TCA will review PRPD plans to coordinate training schedule with courts. The TCA will also review work plans from Auxiliary Superintendents and Area Commanders to coordinate work and training schedules.*

- c. Training on General Order 600, Section 612.

Methodology: See IV.1.3

*In addition, the TCA will review PRPD plans to coordinate training schedule with courts. The TCA will also review work plans from Auxiliary Superintendents and Area Commanders to coordinate work and training schedules.*

- d. Training of supervisors and high-ranking police officials.

Methodology: See IV.1.4

*In addition, the TCA will review PRPD plans to coordinate training schedule with courts. The TCA will also review work plans from Auxiliary Superintendents and Area Commanders to coordinate work and training schedules.*

- e. Training of Command Center and Radio Control personnel.

Methodology: See IV.1.5

*In addition, on a quarterly basis, the TCA will review the progress PRPD made in acquiring needed equipment and resources.*

## VI. Creation of "Comités de Retroalimentación":

### Activities:

1.1 Protocol for PRPD to receive regular comments from judges, prosecutors, and public defenders.

Methodology: The protocol is to be submitted to the TCA and USDOJ for review on or before May 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The TCA will review MOU between the parties. The TCA will schedule and use focus group discussions with judges, prosecutors, and public defenders.

## VII. PRPD's Self-Evaluation:

Methodology: TCA will review all documents (minutes of meetings, notes from field visits, data collected, policy drafts, legal opinions, etc.) used in PRPD's self-evaluation. The TCA will continue to assist the PRPD in building operational and management systems and structures that will facilitate PRPD's self-evaluation process.

## VIII. Budget:

Methodology: On a yearly basis, the PRPD will submit to the TCA a budgetary update detailing how the implementation of programs is affected by budgetary constraints.

## IX. Annual Review:

Methodology: The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, legal opinions, etc.) used to review the Action Plan on Searches and Seizures no later than one year from the date of approval of the Action Plan. The TCA will meet with the Superintendent and/or the PRPD leadership to discuss matters relevant to the annual review.

## **METHODOLOGY TO REVIEW ACTION PLAN ON EQUAL PROTECTION**

During the capacity building period, the TCA will take the following methodological actions to assess PRPD's compliance with the Action Plan on Equal Protection:

- (n) The TCA will conduct random visits to each of the thirteen police areas, using SAEA's training calendar approved for each of the twelve trainings developed for this area of compliance, in order to ensure that PPR staff is being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA.
- (o) Quarterly, the TCA will take random samples of the documentation related to arrests, vehicle detention, voluntary investigative interviews, stops and searches, and seizures of property, in order to corroborate that PRPD is taking the required demographic data that will uncover any possible pattern of discrimination upon analysis.
- (p) Annually, the TCA will collect a random sample of information related to the classification of crimes, in order to confirm that the classification of such crimes is adequate, within the parameters of the National Incident Reporting System (NBRIS). The first year the sample will be collected from the Zones of Excellence. In subsequent years, the TCA will collect a sample from all thirteen precinct areas.
- (q) Using the training plan issued by the SAEA for each of the trainings and courses, with the purpose of identifying the date of commencement of these, the TCA will collect attendance records and student evaluations for all trainings.
- (r) The TCA will meet regularly with community groups to discuss their concerns regarding policies and practices in the area of Equal Protection.

### **I. Objetivos de Desarrollo de Políticas y Procedimientos:**

Activities:



- 1.1 In connection with the Action Plan on Recruitment, Selection, and Hiring, PRPD will review Regulation 4216.

Methodology: *The TCA will provide methodology upon receipt of Action Plan on Recruitment.*

- 1.2 In connection with the Action Plan on Supervision, PRPD will review General Order 2008-3.

Methodology: *The TCA will provide methodology upon receipt of Action Plan on Supervision*

- 1.3 In connection with the Action Plan on Professionalization, PRPD will review Regulation on Promotional Examinations.

Methodology: *The TCA will provide methodology upon receipt of Action Plan on Professionalization*

- 1.4 In connection with the Action Plan on Administrative complaints, PRPD will review special Order 2010-5.

Methodology: *The TCA provides methodology in the Action Plan on Administrative Complaints*

- 1.5 Review of Regulation 6508.

Methodology: *The Regulation was submitted to the TCA and USDOJ for review on March 31, 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

- 1.6 Review of Regulation on Non-Discrimination.

Methodology: *The Regulation was submitted to the TCA and USDOJ for review on March 31, 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

1.7 Draft General Order on Investigation of Domestic Violence Incidents

Methodology: The General Order was submitted to the TCA and USDOJ for review on June 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

1.8 Review of General Order 2006-5

Methodology: The General Order was submitted to the TCA and USDOJ for review on June 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

1.9 Draft Administrative Order on Investigation of Domestic Violence Incidents

Methodology: The Administrative Order was submitted to the TCA and USDOJ for review on June 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

1.10 Review of General Order 2007-1

Methodology: PRPD will submit the General Order to the TCA and USDOJ for review on September 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

1.11 Draft Administrative Order on Investigation of Sexual Assaults

Methodology: PRPD will submit the General Order to the TCA and USDOJ for review on September 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The TCA will include an evaluation of community outreach in this area.

1.12 Draft General Order on Interaction with Transgender Individuals

Methodology: PRPD will submit the General Order to the TCA and USDOJ for review on October 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA

*will monitor compliance with action plan deadlines. The TCA will include an evaluation of community outreach in this area.*

#### 1.13 Draft General Order on Interaction with Undocumented Individuals

Methodology: *PRPD will submit the General Order to the TCA and USDOJ for review on December 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The TCA will include an evaluation of community outreach in this area.*

#### 1.14 Revisar la Orden General 2000-3 "Controles, sobre el Uso, Archivo y Disposición Final del Informe de Incidentes (NIBRS) en la Policía de Puerto Rico". (ver Tabla 6)

Methodology: *PRPD will submit the General Order to the TCA and USDOJ for review on August 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

#### 1.15 Draft General Order on Hate Crimes Data Collection

Methodology: *PRPD will submit the General Order to the TCA and USDOJ for review on April 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

#### 1.16 Draft Manual on Hate Crimes

Methodology: *PRPD will submit the General Order to the TCA and USDOJ for review on April 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

#### 1.17 Draft Protocol for Evaluation of Best Practices

Methodology: *PRPD will submit the General Order to the TCA and USDOJ for review on June 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.*

#### 1.18 Review of Especial Order 2006-2

Methodology: PRPD will submit the General Order to the TCA and USDOJ for review on August 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

#### 1.19 Review of MOU on Investigation of Misconduct in Juvenile Institutions

Methodology: PRPD will submit the General Order to the TCA and USDOJ for review on August 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

## II. Training

### Activities:

#### 1.1. Review of Regulation on Non-Discrimination (External).

Methodology: PRPD will draft the training module on or before October 26, 2015 and will be ready for implementation on January 24, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

#### 1.2. Review of Regulation on Non-Discrimination (Internal).

Methodology: PRPD will draft the training module on or before October 26, 2015 and will be ready for implementation on January 24, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

1.3. Training on Investigation of Domestic Violence Incidents.

Methodology: PRPD will draft the training module on or before January 26, 2016 and will be ready for implementation on April 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

1.4. Training on Investigations of Sexual Assault.

Methodology: PRPD will draft the training module on or before March 27, 2016 and will be ready for implementation on June 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

1.5. Training on Interaction with Transgender Individuals.

Methodology: PRPD will draft the training module on or before May 27, 2016 and will be ready for implementation on August 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

1.6. Training on Interaction with Undocumented Individuals.

Methodology: PRPD will draft the training module on or before July 27, 2016 and will be ready for implementation on October 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors.

#### 1.7. Training on NIBRS.

Methodology: PRPD will draft the training module on or before March 27, 2016 and will be ready for implementation on June 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors. The TCA will develop a structured questionnaire for a random sample of trained employees.

#### 1.8. Training on Demographic Data Collection.

Methodology: PRPD will draft the training module on or before March 27, 2016 and will be ready for implementation on June 25, 2016. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors. The TCA will develop a structured questionnaire for a random sample of trained employees.

#### 1.9. Training on Hate Crime Data Collection.

Methodology: PRPD will draft the training module on or before November 26, 2016 and will be ready for implementation on February 24, 2017. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors. The TCA will develop a structured questionnaire for a random sample of trained employees.

1.10. Training on Investigation of Misconduct in Juvenile Institutions.

Methodology: PRPD will draft the training module on or before March 28, 2017 and will be ready for implementation on June 26, 2017. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors. The TCA will develop a structured questionnaire for a random sample of trained employees.

1.11. Bi-annual Multi-thematic Training.

Methodology: PRPD will draft the training module six months after adopting the Regulation on Non-Discrimination. Training will be completed by 50% of PRPD officers twelve months after the approval of training. Training will be completed by 100% of the officers on or before two years after the approval of training.

Before the training starts the TCA will review a roster with all employees scheduled to be trained. The roster will be updated quarterly. The TCA will review quarterly training attendance logs and training evaluations. The TCA will interview a random sample of employees who attended the training. The TCA will interview instructors. The TCA will develop a structured questionnaire for a random sample of trained employees.

## II. Implementation

Activities:

Methodology: 1.1-1.3  
See Training Section II

1.4 "Hotline"

Methodology: The TCA will corroborate that anyone can contact the hotline that the hotline is functional, and services are provided to the hotline. The TCA will develop the equivalent of a "secret shopper program." The TCA will also review files stemming from hotline reports.



### 1.5 Psychological Evaluation of Officers

Methodology: The TCA will verify that caseloads are appropriate and services are provided. The TCA will conduct a random sample of the service logs.

### 1.6 Audit of Processes and Best Practices

Methodology: The TCA will verify that PRPD has created an inter-agency team with the expertise and skills to conduct audits according to the standards of the General Accounting Office.

## III. Data Collection

Activities:

### 1.1 Draft a system for data collection on crime analysis.

Methodology: In the Zones of Excellence, starting with the Zone of Excellence of Utuado, the TCA will evaluate the data collection procedures of the pilot program. The TCA will examine both the IT infrastructure as well as the methods and strategies for data collection.

## IV. PRPD's Self-Evaluation

Methodology: The TCA will review all documents (minutes of meetings, notes from field visits, data collected, policy drafts, legal opinions, etc.) used in by the PRPD's in the process of self-evaluation.

## V. Budget

Methodology: On a yearly basis, the PRPD will submit to the TCA a budgetary update detailing how the implementation of Equal Protection programs is affected by budgetary constraints.

## VI. Annual Review:

Methodology: *The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, legal opinions, and any other relevant documents as needed) used to review the Action Plan on equal protection no later than one year from the date of approval of the Action Plans. The TCA will meet with the Superintendent and/or the PRPD leadership to discuss matters relevant to the annual review.*

## **METHODOLOGY TO REVIEW ACTION PLAN ON ADMINISTRATIVE COMPLAINTS**

During the capacity building period, the TCA will take the following methodological actions to assess PRPD's compliance with the Action Plan on administrative complaints:

- (s) The TCA will corroborate that anyone can make a complaint through the different means available, from walk-ins to calls through the hotline. The TCA will also conduct random checks of records of administrative complaints in order to corroborate that for every complaint that is received, the complainant has been notified in writing of the number assigned to his or her complaint, what investigator was assigned to the complaint, extensions granted, disposition, and information about how to request a review of the final disposition.
- (t) The TCA will conduct random visits to the command headquarters, districts, precincts, and units in the thirteen police areas to corroborate that the posters on how to file complaints and recognitions are visible and PPR-111 and PPR-888 forms are available.
- (u) The TCA will review a randomly selected number of files to check that the complaints sent to SARP are assigned for investigation within a term not to exceed five working days.
- (v) In the first year of the implementation of the Action Plan, the TCA will visit police facilities in all four Zones of Excellence to conduct random reviews of files. The purpose of the reviews will be two-fold: (1) ensure that all proper investigative steps are taken and (b) ensure that administrative investigations are completed within a period not to exceed ninety (90) days from receipt of the complaint. After the first year, the TCA will visit each of the thirteen police areas.
- (w) The TCA will conduct random checks of records of administrative complaints to verify that the recommendations for each of the complaints are one of the following final determinations: sustained, not sustained, unfounded, or exonerated. The TCA will interview officers and supervisors that investigated said complaints.
- (x) The TCA will review all records of administrative complaints in which an allegation is sustained, with the purpose of checking that the PRPD is reporting the determination of the complaint to the complainant. The TCA will review all disciplinary actions taken by PRPD when an allegation is sustained. The TCA will compare all disciplinary and investigative logs.

- (y) Using the training calendar by SAEA, the TCA Conduct random visits to each of the thirteen police areas in order to ensure that staff PPR is being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA.

The TCA will also take the following specific methodological actions to assess PRPD's compliance with the Action Plan on administrative complaints:

## **I. Policies and Procedures**

Activities:

### **1.1 Draft Public Information Program on Complaints and Recognition.**

Methodology: The order was submitted to the TCA and USDOJ for review on June 30, 2015. The TCA will document Superintendent's approval. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

### **1.2 Review of inter-agency MOU on criminal and administrative investigations.**

Methodology: The MOU is to be submitted to the TCA and USDOJ for review on August 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

### **1.3 Draft policy on giving testimony in an administrative proceeding.**

Methodology: The policy is to be submitted to the TCA and USDOJ for review on or before September 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

### **1.4 Review of Regulation 6506 and adoption of new Regulation.**

Methodology: The Regulation is to be submitted to TCA and USDOJ for review on or before October 2015. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

### **1.5 Draft handbook/manual on administrative investigations.**

Methodology: The handbook/manual is to be submitted to the TCA and USDOJ for review on or before December 2015. Paragraphs 229 and 230 of the Agreement are

applicable. The TCA will monitor compliance with action plan deadlines. The TCA will conduct interviews with members of SARP and OAL that participated in the draft of the manual.

#### 2.1 Review of Regulation 4216.

Methodology: The Regulation is to be submitted to the TCA and USDOJ for review on or before January 2016. Paragraphs 229 and 230 of the Agreement are applicable. Monitor deadlines. The TCA will monitor compliance with action plan deadlines.

#### 2.2 Draft administrative order on disciplinary sanctions.

Methodology: The order is to be submitted to TCA and USDOJ for review on or before March 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The TCA will conduct interviews with members of SARP and area commanders about their role in drafting the policy. The TCA will review the PRPD's disciplinary matrix.

#### 2.3 Draft administrative order on non-punitive disciplinary actions.

Methodology: The order is to be submitted to the TCA and USDOJ for review on or before July 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines.

#### 3.1 Review of General Order 2010-14 (SARP).

Methodology: The TCA is to be submitted to the TCA and USDOJ for review on May 2015. The TCA will request a quarterly report identifying number of new SARP recruits as well as recruitment, selection, and retention criteria.

#### 4.1 Review of Regulation 6403.

Methodology: The Regulation is to be submitted to the TCA and USDOJ for review on or before December 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The TCA will request updates from the PRPD on amendments to Law 78-1997.

## II. Training

Activities:

- 1.1 SAEA will develop training for SARP and OAL regarding administrative complaints.

Methodology: The training materials are to be submitted to the TCA and USDOJ for review on or before February 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The training will include references to items (a) through (q) referenced in the Action Plan. The TCA will conduct documentary evidence and review all training materials.

- 1.2 Training of SARP and OAL personnel: 50% in the first year and the remaining 50% in the second year.

Methodology: PRPD will draft the training module for SARP and OAL personnel on or before March 25, 2016. Training will be completed by 50% of the force on or before March 25, 2017. Training will be completed by 100% of the force on or before March 25, 2018.

Before the training starts the TCA will receive a roster with all employees assigned to SARP and OAL. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of SARP and OAL employees who attended the training. The TCA will interview instructors.

- 2.1 Training of supervisory personnel.

Methodology: PRPD will draft the training module for supervisory staff. Training will be completed by 50% of the supervisory staff twelve months after the approval of training. Training will be completed by 100% of the supervisory staff on or before two years after the approval of training. Sections 2.3 and 2.4 provide prioritization schedule.

Before the training starts the TCA will receive a roster with all supervisory employees scheduled to be trained. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of supervisory employees who attended the training. The TCA will interview instructors.

- 3.1 Training of all PRPD personnel

Methodology: PRPD will draft the training module for all personnel. Training will be completed by 50% of the personnel twelve months after the approval of training. Training will be completed by 100% of the force on or before two years after the approval of training. Sections 3.3 and 3.4 provide prioritization schedule.

Before the training starts the TCA will receive a roster with all employees scheduled to be trained. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of supervisory employees who attended the training. The TCA will also interview instructors. The TCA will develop a survey instrument, a structured questionnaire, to identify knowledge acquisition and retention.

#### 4.1 Training of supervisory personnel on stress control

Methodology: PRPD will draft the training module for supervisory staff. Training will be completed by 50% of the supervisory staff twelve months after the approval of training. Training will be completed by 100% of the supervisory staff on or before two years after the approval of training. Sections 4.3 and 4.4 provide prioritization schedule.

Before the training starts the TCA will receive a roster with all supervisory employees scheduled to be trained. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of supervisory employees who attended the training. The TCA will interview instructors.

### III. Data Gathering and Data Reporting

#### Activities:

##### 1.1 Acquisition of information systems for tracking administrative complaints.

Methodology: This activity is to be implemented on February 2016. The TCA will monitor compliance with action plan deadlines.

##### 1.2 Inventory of complaints.

Methodology: This activity is to be implemented on or before May 2016. The TCA will monitor compliance with action plan deadlines: start and end of the inventory process. The TCA will observe and monitor the physical inventory so the TCA is fully familiar with the procedure the PRPD will use to count the inventory. The TCA will set a procedure to reconcile the inventory count to the general ledger. In particular, the TCA will verify that past complaint reports are consistent with the new inventory.

##### 1.3 Digitalization of complaints.

Methodology: This activity is to be implemented on or before December 2016. The TCA will monitor compliance with action plan deadlines. The TCA will trace substantiated



complaints to make sure that all substantiated complaints are carried forward from the inventory to the digitalization.

#### 1.3 PRPD's self-assessment of information systems.

Methodology: This activity is to be implemented on or before February 2017. The TCA will monitor compliance with action plan deadlines. The TCA will provide a structured questionnaire to assess the quality of PRPD's self-assessment. The TCA will review PRPD's IT needs and self-assessment reports.

#### 1.4 External assessment of information systems.

Methodology: This activity is to be implemented on or before April 2017. The TCA will monitor compliance with action plan deadlines. The TCA will interview members of the PRPD's assessment committee.

#### 1.6 Solicitation of information systems.

Methodology: This activity is to be implemented on or before June 2017. The TCA will monitor compliance with action plan deadlines. The TCA will interview members of the PRPD's selection committee and review the findings of their evaluation of external IT proposals.

#### 1.7 Contract adjudication and implementation.

Methodology: This activity is to be implemented on or before be implemented on or before 18 months since the contract adjudication date. The TCA will monitor compliance with action plan deadlines. The TCA will review the schedule of deliverables from the contractor.

#### 1.8 Training for new information systems.

Methodology: This activity is to be implemented on or before 18 months since delivery date. The TCA will monitor compliance with action plan deadlines. The TCA will review training schedule and content.

### IV. Implementation

Activities:



1.1 Public information plan on how to file administrative complaints.

Methodology: This plan is to be implemented on September 2015. The TCA will monitor compliance with action plan deadlines. The TCA will review a complete list of outlets where the PRPD advertised. The TCA will also review complaint activity statistics before and after the public information campaign. The TCA will evaluate PRPD's public information initiatives and the extent of PRPD's community outreach.

2.1 The Psychology Unit will provide psychological and therapeutically support services.

Methodology: This activity is to be implemented on or before March 2017. The TCA will monitor compliance with action plan deadlines. The PRPD will provide the TCA with an analysis of caseloads among members of the Psychology Unit before and after the implementation of the program. The TCA will evaluate quantitative data to determine caseloads and average time spent with client.

2.2 SAEA will retrain officers.

Methodology: TCA will closely monitor implementation of the program. On a quarterly basis, the PRPD will provide the TCA with a list of officers (with information about their units) who have been the subject of the new re-training program. The TCA will monitor whether officers are re-trained for the same recurring problem.

3.1 Caseloads and HR staffing analysis for SARP.

Methodology: This activity is to be completed on or before February 2016. The PRPD will provide the TCA with an analysis of SARP caseloads before and after the implementation of the program.

3.2 Recruitment of SARP candidates.

Methodology: This activity is to be completed on or before May 2016. The TCA will monitor compliance with action plan deadlines.

3.3 Selection of SARP candidates.

Methodology: To be completed on or before August 2016. The TCA will monitor compliance with action plan deadlines. The TCA will assess recruitment information and outreach plans to determine whether PRPD is implementing its plans to recruit

qualified candidates into SARP. The TCA will review recruitment data and conduct statistical testing for selection bias.

## **V. PRPD's Self-Assessment**

Activities:

1.1 PRPD will collect data and monitor administrative complaints for the purpose of self-assessment through activities (a) through (i).

Methodology: PRPD will submit to the TCA all documents (minutes of meetings, notes from field visits, quantitative data collected, policy drafts, legal opinions, etc.) used in PRPD's self-evaluation.

## **VI. Budget**

Methodology: On a yearly basis, the PRPD will submit to the TCA a budgetary update detailing how the implementation of programs is affected by budgetary constraints.

## **VII. Annual Review:**

Methodology: *The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, legal opinions, and any other relevant documents as needed) used to review the Action Plan on administrative complaints no later than one year from the date of approval of the Action Plans. The TCA will meet with the Superintendent and/or the PRPD leadership to discuss matters relevant to the annual review.*

If you have any questions or concerns regarding my comments, please do not hesitate to contact me.

Sincerely,

Arnaldo Claudio  
Technical Compliance Advisor

C: Luis E. Saucedo

Special Litigation Section, USDOJ

Beatriz Annexy

Special Assistant to the Secretary, PRDOJ